

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:10-HC-2022

UNITED STATES OF AMERICA,)	
Petitioner,)	
v.)	ORDER
)	
CARLOS OFARRIT-FIGUEROA,)	
Register Number 00976-131,)	
Respondent.)	

This matter is before the court on the government's 12 February 2010 motion to seal the certification of respondent, filed pursuant to 18 U.S.C. § 4248(a). The sole basis for the motion is that the certification contains information of a "sensitive psychological nature . . . [which] implicates a privacy interest in the [r]espondent[.]" (Br. Supp. Mot. Seal at 1.) The government also notes this court's general practice of filing under seal forensic, psychological and psychiatric reports in cases arising under 18 U.S.C. §§ 4241 *et seq.*

The court has reviewed the certification, and find that it contains no information warranting sealing. The certification is not a psychological or psychiatric report. It contains very brief (but specific) references to psychological/psychiatric diagnoses. It contains details from previous criminal conduct which presumably is the subject of prior open court proceedings. It does not contain any detailed information regarding victims' names. Certifications exactly like the one at issue in this case have not been filed under seal in approximately 95 other cases. The motion is DENIED.

This 10 June 2010.



W. Earl Britt
Senior U.S. District Judge